

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MALIBU MEDIA, LLC,**

\*

**Plaintiff,**

\*

**CASE NO. 1:13-cv-02705-WDQ**

**v.**

\*

**JOHN DOE subscriber assigned IP address  
76.100.168.213,**

\*

\*

**Defendant.**

\*

**PLAINTIFF'S FIRST MOTION FOR EXTENSION OF TIME  
WITHIN WHICH IT HAS TO SERVE JOHN DOE DEFENDANT  
WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve John Doe Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their internet service provider ("ISP").

2. On November 7, 2013, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP, Comcast Corporation, to obtain the Defendant's identifying information [CM/ECF 7]. Plaintiff issued the subpoena on or about November 7, 2013, but did not receive the ISP's response until December 31, 2013.

3. Pursuant to this Court's Order, Plaintiff intends to depose the subscriber to inquire whether the subscriber was responsible for downloading Plaintiff's copyrighted works. Plaintiff is currently in the process of scheduling the deposition with Defendant.

4. Pursuant to Rule 4(m), Plaintiff is required to effectuate service on the Defendant by no later than today, January 13, 2014. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended an additional thirty (30) days, or until February 12, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended until February 12, 2014. A proposed order is attached for the Court's convenience.

Dated: January 13, 2014

Respectfully submitted,

MALIBU MEDIA, LLC.  
PLAINTIFF

By: /s/Jon A. Hoppe  
Jon A. Hoppe, Esquire #6479  
Counsel  
Maddox, Hoppe, Hoofnagle &  
Hafey, L.L.C.  
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(301) 341-2580

**CERTIFICATE OF SERVICE**

I hereby certify that on January 13, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/Jon A. Hoppe